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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

United States of America,

Plaintiff,

vs.

JACQUAVIUS TRISHUN POWELL

Defendants.

Case No.: 2:21 mj 00150-EJY

Stipulation to Continue Preliminary
Hearing Date (Fourth Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou, United States Attorney, Edward Veronda, Assistant United States Attorney, counsel for the United States of America and Nicholas Wooldridge, Esq., counsel for defendant Jacquavius Powell.

THAT THE PRELIMINARY HEARING CURRENTLY SCHEDULED FOR August 16, 2021, at 4:00 p.m. before U.S. Magistrate Elayna J. Youchah be vacated and set to a time convenient for the Court, but no earlier than 60 days from the current setting.

This stipulation is entered into for the following reasons:

- 1 1. Defendant and the Government have agreed to resolve the case by way of a plea
2 agreement and an Information. Counsel and this Court will need additional time to
3 schedule and conduct the Change of Plea hearing.
- 4 2. Defense counsel and counsel for the government agree to the continuance.
- 5 3. The defendant is not detained and agrees to the continuance.
- 6 4. Denial of this request for continuance could result in a miscarriage of justice.
- 7 5. The additional time requested by this Stipulation is excludable in computing the time
8 from the filing of the criminal complaint through which the government must assert
9 an criminal Information or seek an Indictment by the Grand Jury pursuant to the
10 Speedy Trial Act, Title 18, United States Code Section 3161(h)(7)(A), when
11 considering the factors under Title 18, United States Code, Sections 3161(h)(7)(B)
12 and 3161(h)(7)(B)(iv).
- 13 6. This is the third request for a continuance.

14 Dated this 12th day of August, 2021.

15 Respectfully Submitted,
16 CHRISTOPHER CHIOU
17 Acting United States Attorney

18 EDWARD G. VERONDA
19 Assistant United States Attorney

20 NICHOLAS WOOLDRIDGE, ESQ.
21 Counsel for defendant Jaquavius Powell
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Stipulation to Continue Preliminary
Hearing Date (Fourth Request)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The period within which the government may assert an Information against the defendant is hereby extended from the date of the filing of the complaint up through and including October 18, 2021.
2. Defendant and the Government have agreed to resolve the case by way of a plea agreement and an Information. Counsel and the Court will need additional time to schedule the Change of Plea hearing.

3. Both counsel for the defendants and counsel for the government agree to the continuance.

4. The defendant is not detained and agrees to the continuance.

5. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code Section 3161(h)(7)(A), when considering the factors under Title 18, United States Code, Sections 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

6. This is the third request to continue the preliminary hearing.

For all of the above-stated reasons, the end of justice would best be served by a continuance of the preliminary hearing.

ORDER

IT IS HEREBY ORDERED that the Stipulation to Continue Preliminary Hearing Date (ECF No. 18) is DENIED as moot.

DATED this 12th day of August, 2021.


UNITED STATES MAGISTRATE JUDGE